



**APPROVED  
AS AMENDED**

**CITY OF NEWPORT BEACH  
Citizen Advisory Panel Meeting  
West Newport Landscaping - Design Guidelines**

**Meeting Minutes**

**Newport Beach City Hall  
Fire Conference Room  
3300 Newport Blvd., Building D  
Wednesday, August 24, 2011  
4:00 p.m. to 5:30 p.m.**

---

Edward Selich – Council Member Liaison  
Kimberly Brandt – Community Development Director  
Jim Campbell – Principal Planner  
Ben Zdeba – Planning Technician  
Dave Webb – Deputy PW Director/City Engineer  
Iris Lee – Senior Civil Engineer  
Dennis Stone – Project Consultant

Committee Members:  
Cindy Koller  
Gina Lesley  
Jeffrey Morris  
Tony Petros  
Paul Watkins

The meeting was called to order at 4:00 p.m.

All Committee Members and staff were present.

1. Welcome and introductions

Dennis Stone, consulting project manager, provided a brief introduction of the process and overview of the Brown Act.

Committee Members and staff were introduced. Council Member Edward Selich gave a brief introduction of the committee's purpose and described his role as Council Member Liaison.

2. Distribution and walk-through of background information

Iris Lee introduced landscape architect David Volz of David Volz Design (DVD) who provided an overview of the conceptual planning process.

3. Overview of West Newport Landscaping Guidelines Process

Dennis Stone discussed the process of formulating landscape plans by distinguishing between concept and construction plan.

David Volz presented and discussed several aerial photographs depicting the proposed scope of the project. A PowerPoint presentation of the existing conditions on West Coast Highway and West Balboa Boulevard was also given and the recent River Avenue landscaping improvements was presented as an example of what can be accomplished.

- 4 City website – <http://www.newportbeachca.gov/index.aspx?page=1959>

The project schedule was discussed and the website address was provided where the updated agendas and meeting information will be posted.

5. Public Comment and Roundtable Discussion

A general discussion ensued and several key points were made:

- The CAP will focus on design guidelines for landscaping of the West Newport Gateway area, but will tie-in and incorporate design elements of other adjacent areas to create community symmetry.
- An overall plan or goal should be created that can be implemented over time through use of phasing and pocket improvements.
- Although Caltrans owns the Coast Highway thoroughfare and relinquishment to the City is pending, Caltrans guidelines can be negotiated and should not hinder the CAP's vision. Additionally, a Landscape Maintenance Agreement could be secured with Caltrans.
- The CAP should consider incorporating innovative sustainable elements in the design such as bioswales, water-efficient irrigation systems, and drought-tolerant plantings.
- Influence on the landscaping of private properties could be made effective through the use of incentives.
- Because Balboa Boulevard is subject to a high-volume of pedestrian and bicycle traffic, sight distance and safety will need to be considered in the design.
- Bump-outs and median alterations may be considered to provide more surface area for landscape improvements.
- The CAP aims to soften the area with lush plantings, but should be mindful of the mixture of retail and residential when selecting a design palette as mid-level and ground-level plantings may limit the visibility of retail centers.
- Transportation grants and subsidies from various local, state, and federal agencies may be available in addition to City funds.
- Public member Bob Rush expressed concern that the CAP application required disclosure by the CAP Committee applicants with respect to having ownership

interest relating to the Neighborhood Revitalization Committee's scope of work may or may not have to recuse him or herself from participating in the panel. Mr. Rush pointed out that Committee Member Paul Watkins did not disclose a client who owns property in the area of interest and he provided additional information regarding the matter (See Attachment 1).

6. Next Meeting – September 28, 2011 4:00 p.m. – 5:30 p.m., Fire Conference Room
7. The meeting was adjourned at 5:30 p.m.

Attachment 1 – Supplemental Attachment



**CITY OF NEWPORT BEACH**

**SUPPLEMENTAL ATTACHMENT**

**to**

**West Newport Landscaping Citizen  
Advisory Panel Meeting Agenda**

**September 28, 2011**

Goodwin, Monika

**From:** robert rush [rr@usrg.net]  
**Sent:** Thursday, September 22, 2011 10:45 AM  
**To:** Goodwin, Monika; 'Koller, Cindy'; 'Lesley, Gina'; 'Morris, Jeffery'; 'Petros, Anthony L.'; Selich, Edward; 'Watkins, Paul K.'  
**Cc:**

**Subject:** West Newport Landscaping-Design Guidelines Citizen Advisory Panel (CAP) meeting agenda 9/28/2011

**Attachments:** 2011-09-28 West Newport Landscaping CAP Meeting Agenda.pdf; Watkins CAP Application.pdf; Watkins Client Letter to City Mar '11.pdf

Monika

My comments were omitted from Public Comments section of the West Newport Landscaping-Design CAP Committee Minutes for the Aug 24<sup>th</sup> Meeting in the agenda packet I received from you (attached) and I respectfully request inclusion of my comments in the minutes as they're approved at the next CAP Meeting. Here's a summary for your convenience:

“ ..... Bob Rush expressed concern that the City’s CAP Application required disclosure by CAP Committee Applicants of ‘any commercial, residential or other ownership interest that may relate to the Neighborhood Revitalization Issues this Committee will review. These interests may or may not require you to recuse yourself from participating.....’

Mr. Rush pointed out that, while every CAP Applicant identified such issues on their City Applications in response, and now every Applicants response is out in the Public Domain, Committee Member Paul Watkins failed to disclose his very recent representation before City Council of a client, who was a property/business owner whose site abuts the project zone of the Committee on which Mr. Watkins serves. As such, Paul Watkins has a financial interest in recommendations of his own Committee. I've attached supporting documents that I submitted Aug 24<sup>th</sup> for those that had not seen them...

I would appreciate the inclusion of my Comments into the minutes for approval at the next meeting. Thank you.

Sincerely,

**Bob Rush**

P. ARNSEN BLAKELY\*  
JOSEPH MANCINI  
NOEL K. TORGERSON\*  
PAUL K. WATKINS\*

\* A PROFESSIONAL CORPORATION

LAW OFFICES OF  
**WATKINS, BLAKELY &  
TORGERSON, LLP**

SUITE 810  
535 ANTON BOULEVARD  
COSTA MESA, CALIFORNIA 92626-7047  
TELEPHONE (714) 556-0800  
FACSIMILE (714) 641-4012

March 28, 2011

Correspondence  
Item No. 3a  
West Newport Amendments  
PA2010-182, PA2010-190, and  
PA2011-014

AUTHOR'S EXTENSION 2108

AUTHOR'S E MAIL ADDRESS:  
paul@lawfriend.com

<http://www.lawfriend.com>

File No. 11-0174029  
**RECEIVED BY**

**PLANNING DEPARTMENT**

**MAR 28 2011**

**BY HAND DELIVERY**

**CITY OF NEWPORT BEACH**

Earl McDaniel, Chairman  
City of Newport Beach Planning Commission  
Community Development Department  
Planning Division  
3300 Newport Boulevard  
Newport Beach, California 92663

**RE: The National Cat Protection Society, a California nonprofit corporation;  
6904 West Coast Highway, Newport Beach, California 92663;  
APN 424-432-07; General Plan Amendment to Change Zoning from R-2  
(Two-Unit Residential) to MU-V (Mixed-Use Vertical)**

Dear Chairman McDaniel:

**I. Background**

Our law firm represents The National Cat Protection Society, a California nonprofit corporation (the "Society").

The Society owns and occupies a commercial building located at 6904 West Coast Highway, Newport Beach, California 92663 (the "Property").

Enclosed for your information is a series of pictures of the Property.

The Society has cared for and protected homeless cats at the Property for over eighteen (18) years without incident, noise, or community disruption of any kind. The Society (and its commercial operation) has truly been a model citizen.

We believe that until recently the Property was assigned a commercial zone dating back to the 1950's – perhaps as long as 50 years.



MAR 28 2011

Earl McDaniel, Chairman  
Newport Beach Planning Commission  
March 28, 2011  
Page 2

CITY OF NEWPORT BEACH

When the new Zoning Code became effective on November 25, 2010, the old mixed use zone (including commercial) for the Property (SP-4) was replaced with a new residential zone (R-2, Two-Unit Residential).

It is our understanding that under the General Plan, the zoning for the Property and several others fronting PCH was changed to an R-2 zone with the thought that when the properties were redeveloped in the future, the highest and best use would be residential. Then, in light of the Council's decision to abate all non-conforming uses in 2008, the Property was designated for abatement. (Please see the enclosed letter dated January 14, 2011 from James Campbell, Acting Planning Director, Planning Department, City of Newport Beach.) As indicated in the letter, the Society was instructed to abate the non-residential use of the Property by November 25 of this year.

On January 26, 2011, the Society filed an Application for a General Plan Amendment to restore a commercial zone for the Property.

I am also enclosing a letter dated March 17, 2011 from the Newport Beach Chamber of Commerce supporting the reinstatement of the commercial zone.

## II. What is the Society Requesting?

We understand from Mr. Jay Garcia (Senior Planner) that the Planning Division of the Community Development Department has recommended that the Property be rezoned MU-V (Mixed-Use Vertical) and that the Society's current use of caring for and protecting homeless cats be permitted to continue under the MU-V Zoning District.

The Society requests the zone modification to MU-V (Mixed-Use Vertical) and supports the staff recommendation. As you know, Section 20.22.010A (MU-V [Mixed-Use Vertical] Zoning District) describes the permitted uses of this zoning classification as follows:

### **"20.22.010 – Purposes of Mixed-Use Zoning Districts**

- A. **MU-V (Mixed-Use Vertical) Zoning District.** This zoning district is intended to provide for areas appropriate for the development of mixed-use structures that vertically integrate residential dwelling units above the ground floor with retail uses including office, restaurant, retail, and similar nonresidential uses located on the ground floor or above."

The Society does not presently use the Property for residential purposes, but the MU-V (Mixed-Use Vertical) zone modification would appear to offer the Society more flexibility (combining usage for both commercial and residential purposes) in the use of the Property (including a continuation of the

MAR 28 2011

*Earl McDaniel, Chairman*  
*Newport Beach Planning Commission*  
*March 28, 2011*  
Page 3

CITY OF NEWPORT BEACH

current commercial use), and the Society therefore supports the staff recommendation of the General Plan Amendment to MU-V (Mixed-Use Vertical).

Thank you for considering our application.

Sincerely,



Paul K. Watkins for  
Watkins, Blakely & Torgerson, LLP

Enclosures  
PKW:jbag

cc: Ms. Denise Johnston  
Mr. Richard Tanzer



RECEIVED BY  
PLANNING DEPARTMENT

MAR 28 2011

CITY OF NEWPORT BEACH



NATIONAL  
CAT PROTECTION  
SOCIETY  
SHELTER • ADOPTIONS  
RETIREMENT CENTER

4099



RECEIVED BY  
PLANNING DEPARTMENT

MAR 28 2011

CITY OF NEWPORT BEACH

NATIONAL  
CAT PROTECTION  
SOCIETY  
Admission \$5.00  
7500 Orange Ave.

FERN ST

6904

ENTER

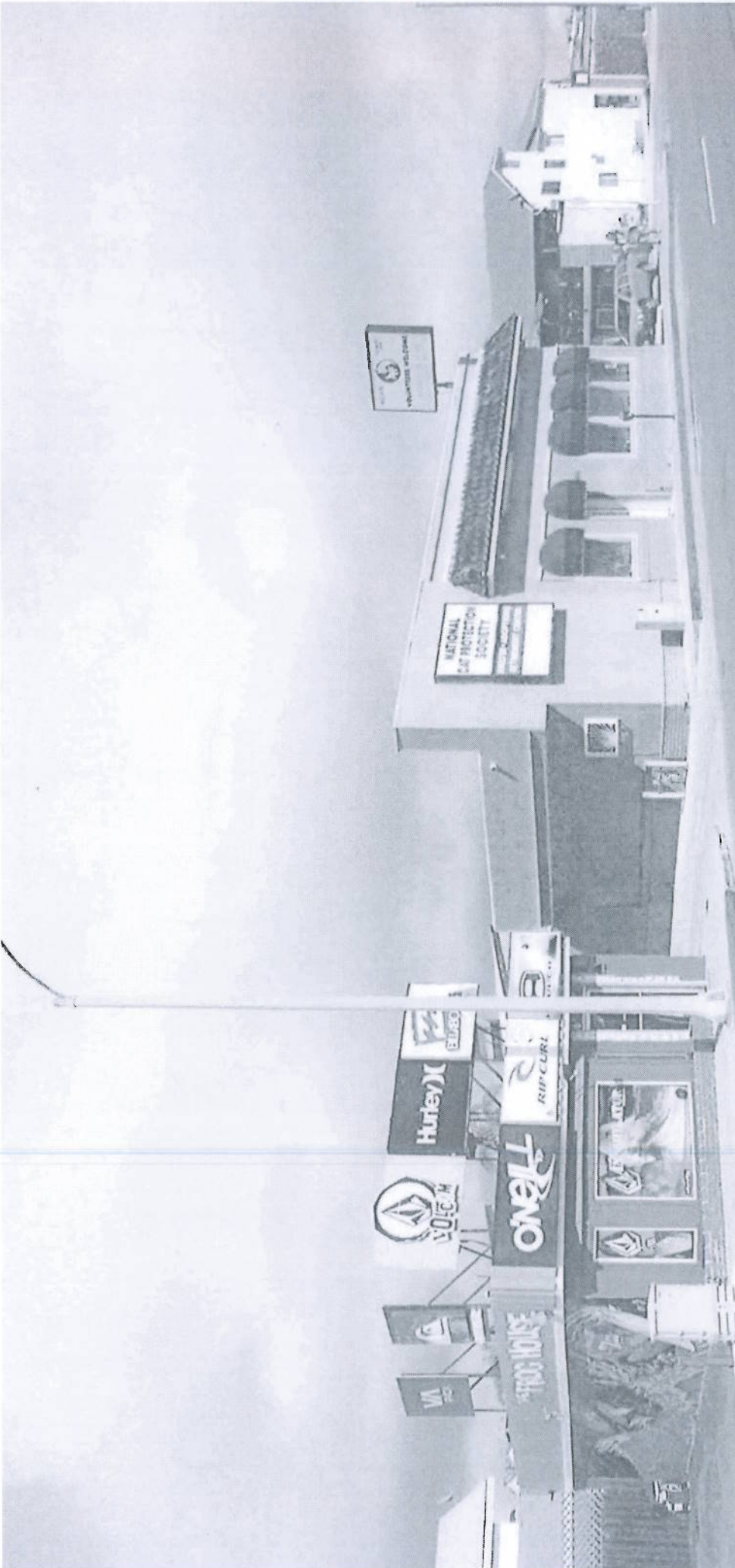
EXIT



RECEIVED BY  
PLANNING DEPARTMENT

MAR 28 2011

CITY OF NEWPORT BEACH





NATIONAL  
CAT PROTECTION  
SOCIETY  
ALWAYS BE KIND  
TO YOUR PET

RECEIVED BY  
PLANNING DEPARTMENT  
MAR 28 2011  
CITY OF NEWPORT BEACH

6904

ENTER



City of Newport Beach  
**NEIGHBORHOOD REVITALIZATION COMMITTEE**  
**Citizens Advisory Panel (CAP)**  
 Application/Interest Form

Name: Paul K. Watkins (please print)

Address: \_\_\_\_\_  
 (CAP members should be residents or business owners in Newport Beach)

E-Mail, Phone Number: \_\_\_\_\_  
 (e-mail address) (phone number)

Please write a short statement summarizing your interest in serving on the Citizens Advisory Panel:  
I have lived in West Newport for 33 years and have been a visitor to this area for over  
50 years. (I even remember Richards Market, Forgit Hardware, and Vincent's Drug Store.)  
I believe I bring institutional memory and creative thinking to the revitalization efforts  
in West Newport and on this side of the bay, including Mariner's Mile.

Geographic Areas of Interest (please check one or two):

Balboa Village	
West Newport Beach (including Balboa Boulevard between Superior and the "Mixmaster", West Coast Highway between Huntington Beach and Newport Boulevard)	X
Mariner's Mile area	X
Old Newport Boulevard	
Bristol Street South in Santa Ana Heights	
Corona del Mar Entry - East Coast Highway "pinch-point" near Avocado, MacArthur	
Lido Marina Village and "old" City Hall Site	

Areas of personal or professional expertise (please check as many as are applicable):

Land Use Planning	X
Economic Development - business retention, business attraction, tenant mix, analysis of existing and potential business' viability.	X
Infrastructure review and analysis	
Parking and Parking Management	
Neighborhood Beautification Projects, landscape design	
Community or Neighborhood Understanding/History	X
Communications or Public Information	

For the areas you checked, please add any explanatory comments: \_\_\_\_\_

I served on the West Newport Beach Association as a Board member for 25 years, including  
12 years as President/Co-President. I am familiar with the mix of residents and property  
owners in the West Newport and Mariner's Mile areas. As a former Chair of the Chamber,  
I have an understanding of economic development issues. I have practiced real estate law  
for 38 years with an emphasis on land use law.



Please tell us about any relevant education, experience, or other activities that might be helpful to the Committee as they review your Interest Form (attach additional page if needed): I have practiced real estate law for 38 years (BA, MBA, and JD from USC); I am a past Chair of the Newport Beach Chamber of Commerce and longtime and current Chamber Board Member. I served on the City Charter Update Commission. My City and community involvement will be helpful in the relationships I have developed around town. I believe I am a consensus builder, a good listener, and a positive "can do" participant.

Please identify any commercial, residential, or other ownership interest that may relate to the Neighborhood Revitalization issues this Committee will review. These interests may or may not require you to recuse yourself from participating in specific subject areas.

I have owned property at 6408 West Ocean Front for 29 years. This property is within the CAP for West Newport Beach. I have a particular interest in re-energizing Mariner's Mile and its business profile in this critical core area of the City.

The Committee has proposed regular meetings on the 2<sup>nd</sup> Thursday of each month at 4:00 p.m. at the City Council Chambers at City Hall. Do you believe you will be able to attend most of those meetings if they are held at that time on those days? Yes X No \_\_\_\_\_

Is there anything else you think the Committee should be aware of about your application?

If the opportunity presents itself, I will be an active member of the West Newport Beach Citizens Advisory Panel or the Mariner's Mile Citizens Advisory Panel.

Please e-mail or fax this form to the City Manager's Office at [dsmlth@newportbeachca.gov](mailto:dsmlth@newportbeachca.gov) or 949-644-3020 (fax) no later than 5:00 p.m. on Monday, May 9, 2011.

If you have any questions about the Committee or this application, please contact the City Manager's Office at 949-644-3000.

Thank you for volunteering your time to the community. Even if you are not selected for the CAP, the Committee welcomes your continued participation in the Neighborhood Revitalization Committee's work as a citizen participant.

Sincerely,

Mike Henn  
Mayor of Newport Beach